

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**VS.**

**JAMES ALLEN KAPPLER, JR.,  
ALICIA J. WEIR,**

## Defendants.

**8:14CR103**

## ORDER

This matter is before the court on defendant James Allen Kapplers's unopposed motion to continue trial [71] as counsel has recently learned of additional information and potential witnesses. Counsel needs additional time to investigate and prepare for trial. The defendant has complied with NECrimR 12.1(a). For good cause shown,

**IT IS ORDERED** that the unopposed motion to continue trial [71] is granted, as follows:

1. The jury trial, **for both defendants**, now set for March 24, 2015 is continued to **June 2, 2015**.

2. Defendant shall file a waiver of speedy trial as soon as practical.

2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and June 2, 2015**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel for the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

**DATED March 4, 2015.**

**BY THE COURT:**

**s/ F.A. Gossett**  
**United States Magistrate Judge**